

Remarks

Applicants respectfully request reconsideration.

Claims 1-2, 7-9, 14-15, and 20-23 are rejected under 35 U.S.C. Section 102(b) as being anticipated by U.S. Patent No. 5,502,304 to Berson et al. ("Berson"). Claims 28-40 are allowed. Claims 3-6, 10-13, 16-19, and 24-27 were indicated as allowable if rewritten.

Regarding claim 1, Applicants respectfully submit that Berson does not disclose or suggest, "the image layers being arranged relative to each other to create a three dimensional effect when strobed with illumination in the illumination bands corresponding to the image layers," as recited in combination with the other elements of claim 1. Berson states: "A upper layer indicia 65 similar to the lower layer indicia is printed over the lower layer indicia with an invisible ink. Only the eagle portion of the lower layer comprises indicia 65." And: "If light source 51 and 52 and detector 54 and 55 are periodically turned on and off approximately 16 times a second by switching mechanism 56, the eagle portion of the indicia will look like it is moving."

Berson is silent regarding arranging or strobing the upper and lower layer indicia to create a three dimensional effect as recited in claim 1.

Claims 2 and 7-9 are likewise patentable over Berson. Further regarding claim 8, Berson's eagle portion does not depict variable information associated with the bearer of the document. This eagle portion is a common feature of all postal indicia, and therefore, is not variable as claimed.

Allowable claim 16 is rewritten in independent form as claim 14, and therefore is allowable. Allowable claims 17-19 are likewise in condition for allowance.

Claim 20 is rewritten to depend on claim 16, and thus, is also in condition for allowance.

Despite being rejected as anticipated by Berson, claim 21 is allowable over Berson because Berson's eagle portion does not constitute variable information as noted above for claim 8. Such variable information requires that the document layers be generated after the variable information is obtained about the bearer, and thus, the document is personalized to the bearer. In contrast, Berson's eagle portion of the indicia

is a common postal indicia feature that remains fixed for each printing of the indicia. Likewise, claim 22 is allowable over Berson.

Allowable claim 24 is rewritten in independent form, and therefore, is in condition for allowance. Likewise, allowable claim 25 is in condition for allowance as being dependent on claim 24.

Allowable claim 26 is rewritten in independent form, and therefore, is in condition for allowance. Likewise, allowable claim 27 is in condition for allowance as being dependent on claim 26.

Claims 15-16 and 23 are cancelled without prejudice.

The claims are now in condition for allowance.

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Respectfully submitted,

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